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AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY DEPUTY

IN THE SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,

Plaintiff,

v.

Kyle Canty
Defendant.

Case No. CV-16-1655-RAJ-JPD

Case No. 161031036 SEA

ORDER

Dismissing with
prejudice

☒ Plaintiff ☐ Defendant moves the court for an order

of dismissal based on
police destruction of his cellular telephone which contained
material exculpatory evidence not replaceable from
other sources as the court cannot require him.
; now, therefore, it is hereby

ORDERED

The Court directed and reviewed
briefing by the State and heard oral
argument. Both parties were offered an
opportunity to present any relevant evidence.
The Court finds the telephone ^{video} was indeed
materially exculpatory on both counts and cannot
be replaced or presented via other comparable
evidence.

DATED this 29 day of November 2016

Judge Catherine Shaffer

This case is
dismissed
with
prejudice.

ORDER ON CRIMINAL MOTION

King County Superior Court
516 Third Avenue, W-829
Seattle, Washington 98104
(206) 296-9185